

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

400I0629

SENATE BILL NO. 138

Introduced by: The Committee on Health and Human Services at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to expand the nurse tuition reimbursement program to
2 include other health care professionals.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 1-16A-73.13 be amended to read as follows:

5 1-16A-73.13. A ~~nurse~~ health care professional is eligible to receive ~~tuition reimbursement~~
6 recruitment incentive payments pursuant to §§ 1-16A-73.13 to 1-16A-73.19, inclusive, if the
7 ~~nurse is licensed to practice nursing pursuant to chapter 36-9~~ health care professional is licensed
8 or certified to practice his or her profession in South Dakota and agrees to practice full time ~~as~~
9 ~~a nurse~~ in an eligible health care facility for a minimum period of two years. However, no more
10 than sixty ~~nurses~~ health care professionals may participate in this program at any specified time.
11 The Department of Health shall promulgate rules pursuant to chapter 1-26 to specify those health
12 care professionals eligible to receive recruitment incentive payments.

13 Section 2. That § 1-16A-73.14 be amended to read as follows:

14 1-16A-73.14. For purposes of §§ 1-16A-73.13 to 1-16A-73.19, inclusive, an eligible health
15 care facility is any facility in this state which:

16 (1) Is licensed pursuant to chapter 34-12 or certified under Title XVIII or XIX of the



1 Social Security Act as amended to December 31, 2001;

2 (2) Agrees to provide its portion of the ~~tuition reimbursement~~ recruitment incentive
3 payments payable to a ~~nurse~~ health care professional who practices in the health care
4 facility as required by §§ 1-16A-73.13 to 1-16A-73.19, inclusive; and

5 (3) Is determined to be eligible by the Department of Health.

6 Prior to making a determination under subdivision (3) of this section, the Department of
7 Health shall promulgate rules pursuant to chapter 1-26 to establish specific criteria to evaluate
8 each facility's need for ~~nurses~~ eligible health care professionals.

9 Section 3. That § 1-16A-73.15 be amended to read as follows:

10 1-16A-73.15. A ~~nurse~~ health care professional who fulfills the requirements of
11 §§ 1-16A-73.13 to 1-16A-73.19, inclusive, is entitled to receive ~~tuition reimbursement a~~
12 recruitment incentive payment in the amount of five thousand dollars.

13 Section 4. That § 1-16A-73.16 be amended to read as follows:

14 1-16A-73.16. Any agreement for the payment of ~~tuition reimbursement~~ recruitment
15 incentives pursuant to §§ 1-16A-73.13 to 1-16A-73.19, inclusive, shall obligate the facility
16 employing the ~~nurse~~ health care professional to provide a portion of the total amount of ~~tuition~~
17 ~~reimbursement~~ recruitment incentives based on the following criteria: health care facilities in
18 communities of two thousand five hundred persons or less shall provide twenty-five percent of
19 ~~tuition reimbursement~~ recruitment incentive payments and health care facilities in communities
20 of greater than two thousand five hundred persons shall provide fifty percent of ~~tuition~~
21 ~~reimbursement~~ recruitment incentive payments. When the facility certifies to the secretary of
22 health that it has paid the full amount for which it is obligated, the secretary of health shall pay
23 to the ~~nurse~~ health care professional the remaining balance of the total ~~tuition reimbursement~~
24 recruitment incentive amount. ~~Reimbursement~~ The incentive shall be paid upon the ~~nurse's~~ health

1 care professional's completion of the required two-year practice period. However, a facility may
2 pay its portion of ~~tuition reimbursement~~ the recruitment incentive at any time during the two-year
3 period.

4 Section 5. That § 1-16A-73.18 be amended to read as follows:

5 1-16A-73.18. No ~~tuition reimbursement~~ recruitment incentive agreement entered into
6 pursuant to the provisions of §§ 1-16A-73.13 to 1-16A-73.19, inclusive, is effective until it is
7 filed with and approved by the secretary of health. The secretary may prescribe the form of
8 agreements and procedures for approval by rules promulgated pursuant to chapter 1-26.

9 Section 6. That § 1-16A-73.19 be amended to read as follows:

10 1-16A-73.19. No person may participate in the ~~tuition reimbursement~~ recruitment incentive
11 program established by §§ 1-16A-73.13 to 1-16A-73.19, inclusive, who is participating in, or
12 has previously participated in, this or any other state or federal tuition reimbursement or
13 forgiveness program.